

Richland Transcripts (TRI)

Public Hearing May 1, 2003 – Richland, Washington

DOE meetings/hearings to acquire comments on the Revised Draft Hanford Solid (Radioactive and Hazardous) Waste Management Program Environmental Impact Statement were conducted in a combination of forums to allow full participation of the audience and commenters. The overall forum consisted of periods for introductions, presentations, informal question and answer sections, panel discussions, and formal comment periods. The identification of comments from the transcripts of these meetings required close reading and interpretation. The results are shown in the identification of formal comment speakers, numbering of comments related to the revised HSW EIS, and bar-coding of copies of the transcripts contained in Volume IV of the HSW EIS. Information in the transcripts related to those informal portions of the meetings are not numbered or bar-coded and do not constitute formal comments. Formal responses to this information were not prepared.

ORIGINAL

UNITED STATES DEPARTMENT OF ENERGY

REVISED DRAFT HANFORD SITE SOLID
(RADIOACTIVE AND HAZARDOUS)
WASTE PROGRAM ENVIRONMENTAL IMPACT STATEMENT
(HSW EIS)

PUBLIC MEETING

MAY 1, 2003

7:00 P.M.

RED LION HANFORD HOUSE
802 GEORGE WASHINGTON WAY
RICHLAND, OREGON

BRIDGES & ASSOCIATES
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P. O. Box 223
Pendleton, Oregon 97801
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1

Introductions

1 MR. DEE WILLIS: Welcome. My
2 name is Dee Willis. I will be the facilitator
3 tonight. My job is to make sure you have an
4 opportunity to say what you want to say.

5 This is the first of six public
6 meetings held by the Department of Energy about
7 the revised draft of the Hanford Solid Waste
8 Environmental Impact Statement.

9 We are here because the Department
10 of Energy listened to public comments in the
11 initial draft last summer, I think it was July
12 and August, and decided to prepare a revised
13 draft to respond to the comments they got then.

14 The purpose of this meeting is to
15 get your comments about the revised draft. We
16 will be here until ten to get your comments.
17 The comments we get from you tonight, along
18 with DOE's responses to those, will be
19 incorporated into an appendix of the Final EIS,
20 Environmental Impact Statement. Your comments
21 will be taken into account as DOE prepares the
22 final EIS and Record of Decision later on.

23 There are several ways to offer
24 comments on this revised draft. Verbal
25 tonight, written on the comment forms at the

2

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Introductions (contd)

1 back table, and you can either write those --
2 write your comments tonight and hand them to
3 us, or mail them in to us. There's a fact
4 sheet on the back table that has the mailing
5 addresses and the E-mail addresses that you can
6 send comments to. Or you can telephone your
7 comments in to us. And there is a phone number
8 on the fact sheet back there.

9 We are going to record your comments
10 tonight verbatim, using a court reporter. It's
11 important to us that we get your name and
12 affiliation so we will be able to properly
13 identify your comments. You may remain
14 anonymous if you wish. We will also be using
15 audio equipment to get your comments. And
16 video. Do we have video? No. Yes. Okay.

17 There is some related information,
18 including a summary of the revised Draft EIS on
19 the back table. There is one full copy of the
20 EIS about a foot high back there, and then
21 there is a number of summaries, very well done.
22 I invite you to look at all of that information
23 on the back table at your convenience.

24 If we have your street address, we
25 will send you a post card. That post card will

3

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Introductions (contd); Presentations

1 give you a choice between getting the Final EIS
2 summary by mail or on the web.

3 I want to go through the agenda. We
4 are doing the introduction now. After the
5 introduction, we are going to do a brief DOE
6 presentation on the Solid Waste EIS.

7 After that we're going to hear from
8 the EPA, their perspectives on the EIS.

9 We will have a brief question
10 period.

11 And then we will take comments from
12 you.

13 Any questions on the agenda?

14 If we have time before ten, and we
15 finish taking public comments, we will go to a
16 more informal discussion kind of format after
17 the comment period. When we do informal
18 comment, we are not going to use the court
19 reporter, we are going to turn that stuff off,
20 just talk.

21 Now I want to introduce our
22 presenters. Mike Collins, DOE, and after him,
23 David Einan, EPA.

24 (Mr. Collins made presentation).

25 MR. DEE WILLIS: Thanks, Mike.

Presentations (contd); Informal Question and Answer Section

1 Dave Einan, Environmental Protection Agency.

2 (Mr. Einan made presentation).

3 MR. DEE WILLIS: Thanks.

4 Before we go to comments, I want to ask if
5 anybody has any questions for either Dave or
6 Mike, clarifying questions about their
7 presentations.

8 Would you give us your name.

9 MR. JERRY POLLET: Jerry
10 Pollet, Heart of America Northwest. I assume
11 you asked that for the record.

12 Mike, can you tell me when in the
13 alternatives A, B, C and D for low-level waste
14 disposal, for each one, when would you end the
15 use of unlined ditches?

16 MR. MIKE COLLINS: I think
17 actually the assumption is for when you would
18 start disposing of low-level waste in lined
19 trenches, I think it is 2007, I think it is in
20 appendix, I want to say it is in Appendix G,
21 but I am not positive.

22 MR. JERRY POLLET: Now, does
23 alternative A, as I read it, never end the use
24 of unlined ditches? It says after 2005 will
25 use wider --

Informal Question and Answer Section (contd)

1 MR. MICHAEL COLLINS: There are
2 three alternatives in there for continued
3 disposal of low-level waste in unlined
4 trenches, and then there are three that talk
5 about disposal of low-level waste in lined
6 trenches.

7 MR. JERRY POLLET: And can you
8 explain why you would consider at all an
9 alternative that is illegal, if you are using
10 unlined trenches?

11 MR. DEE WILLIS: Is that a
12 question?

13 MR. JERRY POLLET: Well, it's
14 a question.

15 MR. MICHAEL COLLINS: Disposal
16 of low-level waste today does not require a
17 liner. There is no law that directs you to say
18 that you have to have a liner for disposal of
19 low-level waste.

20 MR. DEE WILLIS: One more
21 question.

22 MR. JERRY POLLET: And will I
23 find in the appendices a description of, in
24 mitigation, when you will have adequate burial
25 ground groundwater monitoring, because I could

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Informal Question and Answer Section (contd)

1 not find that.

2 MR. MICHAEL COLLINS: Any
3 mitigation stuff would be in 5, I want to say
4 5.18, but that's not right. Is it 5.18?

5 MR. JERRY POLLET: Section 5
6 of volume one?

7 MR. MICHAEL COLLINS: Yes.
8 That's the mitigation information.

9 MR. JERRY POLLET: If it's not
10 there, it's not there?

11 MR. MICHAEL COLLINS: Correct.
12 All of the mitigation information is in 5.18.

13 MR. DEE WILLIS: Any other
14 questions? Okay.

15 I have one person signed up to give
16 comment. Does anybody else --

17 MS. PAM BROWN: Is Ecology
18 here?

19 MR. DEE WILLIS: Ecology is
20 here. Ecology's back there. Ecology elected
21 not to give comments. But I understand that
22 Ecology has a statement. Is that right?

23 MR. TIM HILL: Yeah.

24 MR. DEE WILLIS: Would you
25 give us your name and speak into the mike.

7

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Informal Question and Answer Section (contd)

1 MR. TIM HILL: My name is Tim
2 Hill. I am with the Department of Ecology.

3 We are reviewing the revised draft
4 to determine if it adequately evaluates the
5 impacts of both proposed waste management
6 activities at Hanford and Hanford's role in the
7 nationwide cleanup.

8 Last August, if you recall, we
9 submitted a significant list of concerns on the
10 original draft to USDOE.

11 And some of these concerns were that
12 the scope of the document were too narrow, that
13 the analysis of the impacts was limited, that
14 there was insufficient regulatory analysis, and
15 that many transportation concerns were not
16 addressed.

17 We have a team of staff members who
18 are currently revising -- or reviewing the
19 revised draft to see if these concerns and our
20 many other comments were addressed. We are
21 also looking to see whether this draft
22 adequately evaluates the impacts of proposed
23 waste management activities.

24 I'm here tonight to take notes and
25 to hear what people have to say about the

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Informal Question and Answer Section (contd)

1 proposed EIS, and I will take that information
2 back to our staff and it will be considered in
3 our own comments when we write those up. I do
4 have copies of our comments from last August
5 back on the back table, if you would like to
6 pick those up.

7 MR. DEE WILLIS: Will you
8 accept questions?

9 MR. TIM HILL: Yeah. I
10 probably can't answer them, but --

11 MR. DEE WILLIS: Any questions
12 for Tim Hill from Ecology? Jerry?

13 MR. JERRY POLLET: Jerry
14 Pollet. Yesterday Ecology issued a notice of
15 violation for illegal storage and failure to
16 characterize wastes in the burial grounds.

17 Number one, could you just briefly
18 describe that? And number two, are those
19 conditions adequately described in this EIS?

20 MR. TIM HILL: I can't answer
21 the second question. I know that our staff is
22 looking at that. And I would be glad to have
23 somebody get ahold of you and talk to you about
24 that later.

25 As to the first, we issued an

Informal Question and Answer Section (contd); TRI-0001

1 administrative order to bring some of the waste
2 disposal practices into compliance with the
3 Hazardous Waste Management Act. A copy of that
4 order is available on our website. It is
5 WWW.ECY.WADA.GOV. You can look it up there and
6 see it.

7 MR. DEE WILLIS: Thanks, Tim.
8 Does anybody besides Jerry Pollet want to make
9 comment, formal comment tonight?

10 Okay, Jerry, it's all yours.

11 **TRI-0001** MR. JERRY POLLET: Thank you.
12 Jerry Pollet, Executive Director of Heart of
13 America Northwest.

14 We have approximately 230 member
15 families who live in the Tri-Cities or within
16 25 to 35 miles of the Tri-Cities. And we have
17 thousands of members who will be impacted along
18 the transportation routes, using the Columbia
19 River, from the actions described in this EIS.
20 Therefore, we have a great deal of concern.

21 We are pleased that it was withdrawn
22 last year and reissued. But we think that it
23 is still legally inadequate and we have not
24 completed our analysis. But it is clear at the
25 outset that there is significant flaws.

10

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TRI-0001 (contd)

3

1 Number one is the most obvious
2 lesson from last year. Description of the
3 existing conditions needed to be adequate in
4 order to describe alternatives for solid waste
5 that include description of the alternatives
6 for mitigation and remediation and bring
7 facilities into compliance.

4

8 The low-level burial grounds are
9 woefully out of compliance. The Department of
10 Ecology's action yesterday makes that very
11 clear, and it is a welcomed step forward.
12 Wastes have been illegally disposed in the
13 burial grounds for many years.

5

14 Since 1992 it has been illegal for
15 expansion or adding new trenches to any
16 landfill in the state of Washington without a
17 liner. And these landfills have mixed waste
18 present and they are subject to that law.

6

19 We should not focus on how much more
20 waste we will add before we have a baseline of
21 what is already here and an EIS that describes
22 what we will be doing with what is already
23 here.

24 However, we are talking about the
25 issue of adding waste. In 2000 the Department

TRI-0001 (contd)

7
1 of Energy imported and dumped into the unlined
2 burial grounds 232,000 cubic feet of
3 radioactive waste, enough to cover a football
4 field 13 feet deep. Under the new alternatives
5 sadly the revised draft predicts an increase in
6 waste import to one million cubic feet a year,
7 which is approximately enough to cover a
8 football field 65 feet deep per year.

9 And we do not have any commitment
10 made at the outset of this EIS, which we
11 expected to see clearly made, that the
12 Department of Energy would end dumping in
13 unlined burial grounds as soon as feasible.
14 Instead we have alternatives as just mentioned
15 in the question period that extends the
16 timeline for continuing to use these illegal
17 burial grounds.

18 The issue of importing waste also
19 has a related impact that needs to be
20 considered of how it affects Hanford cleanup
8 21 funding.

22 The Department of Energy's own study
23 last summer found that off-site generators pay
24 less than 50 percent of the cost of disposal of
25 waste.

12

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TRI-0001 (contd)

8

1 When we begin talking about building
2 new facilities and we begin talking about
3 increasing the waste imported, we are talking
4 about a dramatic increase in the subsidy of our
5 Hanford cleanup dollars at a time when DOE
6 continues to say it cannot afford to do all the
7 things that regulators and the public wish it
8 to do, like cleaning up groundwater along the
9 Columbia River, or continuing to remediate the
10 N-Area cribs near the Columbia River, or
11 installing all the legally required groundwater
12 monitoring around these burial grounds.

13 We are talking about a pretty
14 significant impact on Hanford cleanup. And one
15 of the things that is clear under NEPA, you
16 must consider the alternative of charging the
17 generator the fully burdened long-term cost of
18 disposal, because it has shown repeatedly that
19 charging the generator the full cost will
20 decrease the amount of waste.

21 It also dramatically changes the
22 equation of whether or not we minimize waste
23 and treat waste before disposal.

24 This document unfortunately
25 implements a decision from the Waste Management

13

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TRI-0001 (contd)

8

1 EIS to use minimal treatment before disposal,
2 and minimal minimization of waste volumes.
3 That would change dramatically if we charged
4 the generators the fully burdened long-term
5 cost of disposal.

6 And that is a dramatic environmental
7 impact. And it needs to be considered in this
8 EIS. And I would also say it violates the
9 Secretary of Energy's commitment made to
10 Congress last summer in writing that said that
11 all future disposal decisions will consider and
12 discuss the fully burdened long-term costs of
13 disposal before they are made. That needs to
14 be in this EIS and clearly stated.

15 Then what are we talking about here?
16 Hanford's cost of disposal, using '99 figures,
17 was \$29.63 a foot. The rate charged was \$14 a
18 cubic foot. And that does not include the
19 long-term costs. For instance, capping,
20 groundwater monitoring. Of course the land is
21 being treated as if it's free.

22 We need to move to a system where if
23 waste is imported, I am not advocating that it
24 should be, but that the generators charge the
25 fully burdened long-term cost, and that this is

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TRI-0001 (contd)

8

1 a reasonable alternative that has to be
2 considered in this EIS.

3 We have said that last year, and we
4 are shocked, surprised because it is a legal
5 requirement, to find that it is not in here
6 this year.

9

7 We do not find in this EIS an
8 adequate inventory of the wastes in the current
9 burial grounds. A failure to assess the
10 current conditions is a necessary prerequisite
11 before you begin assessing the cumulative
12 impacts of adding more and building new waste
13 disposal facilities.

14 The performance assessment for the
15 burial grounds doesn't even mention hazardous
16 waste being present.

10

17 The permit application filed and on
18 which a Notice of Deficiency was given earlier
19 this year by Ecology, that permit application
20 failed to include dangerous wastes, and the
21 conditions in the Notice of Deficiency noted by
22 Ecology are not addressed in this EIS. Thought
23 it would be easy. They have done you an
24 incredible amount of work. They have done a
25 significant amount of your EIS for you.

15

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TRI-0001 (contd)

10

1 And those conditions that they
2 describe are not described in this EIS. For
3 instance, the notice of deficiency talks about
4 the conceptual model does not adequately
5 explain the groundwater and the vadose zone
6 presence of organics. Nor does this document.

11

7 Some of the hazardous wastes known
8 to be present in the burial grounds but not
9 disclosed and not discussed again are mercury,
10 beryllium, nitric acid, phosphoric acid,
11 sulfuric acid, dibutyl phosphate, carbon
12 tetrachloroethylene, trichloroethylene, xylene
13 and toluene. And we also have asbestos. None
14 of these are described, nor the hazards of
15 working around them, which is a necessary part.

12

16 The Department of Ecology noted that
17 considerable evidence shows waste constituent
18 releases from Low-Level Waste Management Area 4
19 immediately west of the Plutonium Finishing
20 Plant, also not described adequately in this
21 EIS, even though it is a serious and immediate
22 threat to health and the environment.

13

23 TRU containers are designed to vent
24 and known inventories are not considered for
25 organics.

16

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TRI-0001 (contd)

13

1 Now, what are we talking about?
2 Many of you have heard me discuss this before.
3 Levels of carbon tetrachloride in the vapor
4 space of the trenches have been measured at
5 1,760 parts per million. We have, if you just
6 do a little bit of research, you will find that
7 on the Center for Disease Control and NIOSH web
8 sites, you will find medical literature
9 documenting immediate threat to human health as
10 well as fatalities at exposure levels well
11 below 1,760 parts per million, multiples below.

12 But we still have an expectation
13 that workers will be retrieving transuranic
14 waste without personal protective equipment,
15 without supplied air, and we do not have an
16 adequate investigation of the other organics
17 and solvents present. We have only looked at
18 one, and incompletely at that.

14

19 At this time the EIS should describe
20 and should be withdrawn until it describes
21 results of a full Model Toxics Control Act
22 investigation of the releases and groundwater
23 assessment. We do know that we have conditions
24 that are spreading contamination, we have
25 organics detected in the groundwater near Waste

17

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TRI-0001 (contd)

14.

1 Mañagement Area 4, we have as I said carbon
2 tetrachloride spreading in vapor form at deadly
3 levels, and we have not even begun to describe
4 in this EIS any timeline for investigation of
5 the burial grounds in the near term.

15

6 There is no adequate description and
7 timeline which needs to be included as a
8 commitment in this EIS and for any action to
9 fully and adequately monitor the groundwater
10 around the existing burial grounds. It is

16

11 senseless from the public's point of view and
12 from the point of view of the environment to
13 describe building modern facilities to take a
14 million cubic feet of waste a year while
15 ignoring the facilities that are contaminating
16 the soil. It is unacceptable and it leaves
17 this EIS legally inadequate, and it must be
18 corrected.

17

19 Lastly, I would like to address the
20 issue of the groundwater. Point of compliance.
21 The Department of Energy, this is from the EIS,
22 and I will have to show you with a pen, has
23 analyzed only the line of analysis for
24 groundwater impacts right here, right here, and
25 just north up here. Unfortunately, what this

18

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TRI-0001 (contd)

17

1 means is that significant groundwater impacts
2 are not being examined and we cannot make any
3 determination about the adequacy of measures
4 for any of the proposed facilities.

5 As Dave Einan from EPA noted, you
6 have to consider what are the impacts to
7 groundwater at the edge of the facility.
8 That's what the law requires. It is how we
9 measure the impact in terms of an exposure
10 scenario.

11 And it is unacceptable to say we are
12 going to measure it a kilometer away. A
13 kilometer away does two things, we have looked
14 at, and I have another slide that's an overlay
15 but apparently I left it at my seat. If you
16 will bear with me, I will grab the overlay.
17 And this is the last slide I have got.

18 This is from the systems assessment,
19 and what you have is the red areas are 100
20 times the drinking water standard -- excuse
21 me -- yes, the drinking water standard for
22 radiation. And this is for the year 2040.

23 By going a kilometer away, what we
24 are in effect doing is neither actually finding
25 out the maximum concentration at the edge of

19

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TRI-0001 (contd)

17

1 the boundary, nor at the point in the channel
2 where you have the cumulative impact of other
3 waste sites.

4 Conveniently enough, when you look
5 at this, what you get is a line of analysis
6 that neither measures the total cumulative
7 impact from all waste sites, nor the impact at
8 the boundary of the specific waste unit. It is
9 chosen for no reason that can be ascertained,
10 and therefore it leaves us to think that it is
11 chosen for exactly this point, that it is not
12 at the point of maximum concentration from all
13 waste sites to measure the cumulative impact,
14 and it is not at the point where you get the
15 highest impact from a particular waste site
16 either.

17 It needs to be redone. It is not
18 that you shouldn't drop that line of analysis.
19 It's just that you need to do analysis at the
20 boundary of each facility, including the
21 existing facilities, and you need to do it at
22 the point where the pathways converge from
23 different facilities.

24 Thank you very much.

25 MR. DEE WILLIS: Thank you,

20

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Informal Question and Answer Section (contd)

1 Jerry. Are you going to make a gift to me of a
2 hard copy of that presentation?

3 MR. JERRY POLLET: Not now.
4 At the end of the comment period.

5 MR. DEE WILLIS: Okay.
6 Anybody else want to give comment on the
7 revised solid waste EIS?

8 All right. I'm going to go from
9 public comment now to more informal discussion
10 period. I will invite the court reporter to
11 take a break. We are not going to record what
12 goes on next.

13 (Reporter stopped writing).

14 MR. DEE WILLIS: We will go
15 back on the record.

16 MR. MICHAEL COLLINS: We would
17 certainly do a hundred meter analysis. It does
18 need to be done as a part of the permitting
19 process.

20 MS. PAM BROWN: What about the
21 requirements of MTCA?

22 MR. MICHAEL COLLINS: Sorry.
23 I just can't answer that one. I'm not very
24 familiar with that.

25 MR. DEE WILLIS: All right.

21

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Informal Question and Answer Section (contd)

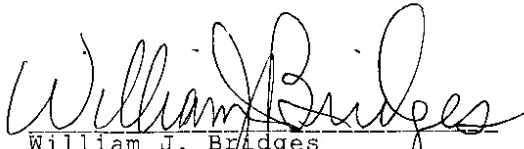
1 We are back to informal.
2 (Reporter stopped writing).
3 MR. DEE WILLIS: Okay. Thank
4 you for coming. We are going to be here until
5 ten. That's what we advertised. So the
6 structured part of this meeting is over. Thank
7 you for coming. If anybody else has comment,
8 please come and give it to us. We will take
9 it.

10
11 (Reporter left at 7:40 p.m.)
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13
14

15 * * *
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19
20
21
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24
25

1 STATE OF OREGON)
2 County of Umatilla) ss.
3
4 I, William J. Bridges, do hereby
5 certify that at the time and place heretofore
6 mentioned in the caption of the foregoing
7 matter, I was a Certified Shorthand Reporter
8 for the State of Oregon; that at said time and
9 place I reported in stenotype all testimony
10 adduced and proceedings had in the foregoing
11 matter; that thereafter my notes were reduced
12 to typewriting and that the foregoing
13 transcript consisting, of 22 typewritten pages
14 is a true and correct transcript of all such
15 testimony adduced and proceedings had and of
16 the whole thereof.

17 Witness my hand at Pendleton, Oregon,
18 on this 2nd day of May, 2003.

19
20
21 
22 William J. Bridges
23 Certified Shorthand Reporter
24 Certificate No. 91-0244
25 My certificate expires: 10-31-03

23

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